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7

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 PEDRO DANIEL CANOVAS,
15 Defendant.

Case No. 2:23-mj-00313-DJA

**STIPULATION TO CONTINUE
BENCH TRIAL**
(First Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, and Skyler Pearson, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Rick Mula,
20 Assistant Federal Public Defender, counsel for Pedro Daniel Canovas, that the bench trial
21 scheduled for January 29, 2025 at 9:00 a.m., be vacated and set to a date and time convenient
22 to this Court, but no sooner than sixty (60) days.

23 The Stipulation is entered into for the following reasons:

- 24 1. The parties have reached a tentative resolution in this case but require additional
25 time to finalize it.
26 2. The defendant is out of custody and does not object to the continuance.
3. The parties agree to the continuance.

1 4. The additional time requested herein is not sought for purposes of delay, but
2 merely to allow counsel for defendant sufficient time within which to be able to effectively and
3 complete investigation of the discovery materials provided.

4 5. Additionally, denial of this request for continuance could result in a miscarriage
5 of justice. The additional time requested by this Stipulation is excludable in computing the time
6 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
7 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
8 Section 3161(h)(7)(B)(i), (iv).

9 This is the first stipulation to continue filed herein.

10 DATED this 6th day of December, 2024.

11 RENE L. VALLADARES
12 Federal Public Defender

JASON M. FRIERSON
United States Attorney

13 By /s/ Rick Mula

By /s/ Syler Pearson

14 RICK MULA
Assistant Federal Public Defender

SKYLER PERSON
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PEDRO DANIEL CANOVAS,

Defendant.

Case No. 2:23-mj-00313-DJA

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties have reached a tentative resolution in this case but require additional time to finalize it.

2. The defendant is out of custody and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to be able to effectively and complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

IT IS THEREFORE ORDERED that the bench trial currently scheduled for January 29, 2025, at the hour of 9:00 a.m., be vacated and continued to **April 9, 2025, at 9:00 a.m.**

DATED this 9th day of December, 2024.


UNITED STATES MAGISTRATE JUDGE